

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE NEW YORK CITY DISTRICT COUNCIL OF
CARPENTERS PENSION FUND, NEW YORK CITY
DISTRICT COUNCIL OF CARPENTERS WELFARE
FUND, NEW YORK CITY DISTRICT COUNCIL OF
CARPENTERS VACATION FUND, NEW YORK CITY
DISTRICT COUNCIL OF CARPENTERS ANNUITY
FUND, NEW YORK CITY DISTRICT COUNCIL OF
CARPENTERS APPRENTICESHIP, JOURNEYMAN
RETRAINING, EDUCATIONAL AND INDUSTRY
FUND, NEW YORK CITY DISTRICT COUNCIL OF
CARPENTERS CHARITY FUND, and THE NEW
YORK CITY AND VICINITY CARPENTERS
LABOR MANAGEMENT COOPERATION FUND,
by MICHAEL J. FORDE and PAUL O'BRIEN,
as TRUSTEES,

07 CV 4040 (PKC)
ECF CASE

**AFFIDAVIT OF
SERVICES**

Plaintiffs,

-against-

PETER R. SMITH INC.,

Defendant.

-----X
STATE OF NEW YORK)
 :SS.:
COUNTY OF NEW YORK)

ANDREW GRABOIS, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court and am associated with the firm of O'Dwyer & Bernstien, LLP, attorneys for plaintiffs herein and submit this affidavit in support of the instant application for default judgment and order.

2. On May 23, 2007, Ian Henderson, a paralegal in this office, drafted and revised a complaint, cover sheet and other required documents and prepared them for filing with the Clerk of the Court. He spent 1.0 hours on this matter at a billing rate of \$115.00 per hour for a total of \$115.00 in attorneys' fees.

3. On May 23, 2007, your deponent reviewed and finalized the aforementioned documents. I spent 0.5 hours at a billing rate of \$320.00 per hour for a total of \$160.00 in attorneys' fees.

4. On May 23, 2007, Vipin Varghese, a paralegal in this office, prepared and filed the aforementioned documents with the Clerk of the Court. He spent 0.5 hours at a billing rate of \$115.00 per hour for a total of \$57.50 in attorneys' fees.

5. On May 23, 2007, Mr. Henderson prepared and filed the aforementioned documents on the Electronic Case Filing system. He spent 0.5 hours on this matter at a billing rate of \$115.00 per hour for a total of \$57.50 in attorneys' fees.

6. On May 23, 2007 and May 25, 2007, Mr. Henderson prepared and mailed the aforementioned documents for service of process. He spent 1.5 hours on this matter at a billing rate of \$115.00 per hour for a total of \$172.50 in attorneys' fees.

7. On May 29, 2007 and June 4, 2007, Mr. Henderson prepared and filed the affidavits of service with the Court and on the ECF system. He spent 1.0 hours on this matter at a billing rate of \$115.00 per hour for a total of \$115.00 in attorneys' fees.

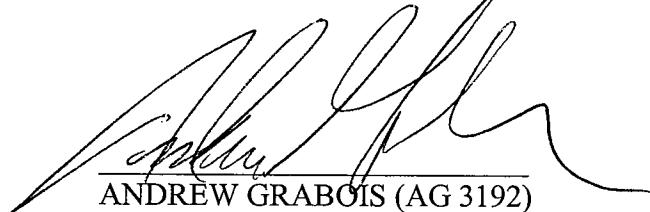
8. On September 28, 2007, Mr. Henderson drafted and filed the required motion documents, including a proposed judgment and order and affidavit of services rendered. He spent a total of 4.0 hours on this matter at a billing rate of \$115.00 per hour for a total of \$460.00 in attorneys' fees.

9. On September 28, 2007, your deponent reviewed and finalized the aforementioned default documents. I spent 0.5 hours on this matter at a billing rate of \$320.00 per hour for a total of \$160.00 in attorneys' fees.

10. On September 28, 2007, your deponent researched, drafted and revised a memorandum of law and declaration. I spent 1.5 hours on this matter at a billing rate of \$320.00 per hour for a total of \$480.00 in attorneys' fees.

11. The cost of the process server to effectuate service of process was \$60.00.

WHEREFORE, deponent respectfully requests allowance of attorneys' fees in the sum of \$1,777.50 and costs arising out of this action in the amount of \$60.00 for a total of \$1,837.50.



ANDREW GRABOIS (AG 3192)

Sworn to before me this
28th day of September, 2007



NOTARY PUBLIC

ROSA FALLON
Commissioner of Deeds
City of New York - No. 2-12032
Qualified in Kings County
Commission Expires Dec. 01, 2007